BILL NO. G-74-05-/<

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GENERAL ORDINANCE NO. G- 12-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Nevada Avenue in the City of Fort Wayne.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a portion of Nevada Avenue having been filed with the Fort Wayne City Plan Commission, and resolution having been duly adopted by the Fort Wayne City Plan Commission on April 15, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174, of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following portion of Nevada Avenue in Fort Wayne, Allen County, Indiana, to-wit:

> That portion of Nevada Avenue, located between Lots # 75 and # 76 of Delta Heights Addition, running 140 feet east from the east Right-of-Way of Inwood Drive

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

APPROVED AS TO FORM AND LEGALITY

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Read the first time in full and on motion by Muchala, seconded by
to the Committee on Algulations (and the City Plan
Commission for recommendation) and Public Hearing to be held after due legal notice,
at the Council Chambers, City-County Building, Fort Wayne, Indiana, on,
theday of, 197, at
olelock P.M., E.S.T.
Date: 5-14-74. Charles W. Utestermank
Read the third time in full and on motion by
seconded by ties, and duly adopted, placed on its passage.
Passed (LOST) by the following vote:
AYES
BURNS
HINGA
KRAUS
MOSES
NUCKOLS
SCHMIDT, D.
SCHMIDT, V.
STIER
TALARICO X
DATE: 5-28-74 Mullett Western
CITY CLERK
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance
(Resolution) No. <u>D-12-74</u> on the <u>28-th</u> day to <u>May</u> , 197 <u>4</u> .
ATTEST: (SEAL) Samuel (T.D)
CITY CLERK EMESSIFING OFFICER
Presented by me to the Mayor of the City of Fort Wayne, Indiane, on the 29ut
day of May, 197 4, at the hour of // vo'clock
A. M., E.S.T.
Meddle - telestismen
Approved and signed by me this 29dd day of Many, 1974,
at the hour of 3.30 o'clock Q M., E.S.T.
Som A Theton A
athyon .

Bill No. <u>G-74-0</u>	5-15		, ,		
	REPORT OF	THE COMMITTEE	ON REGUL	ATIONS	
We, your Committee	on Regulations	to	whom was re	ferred an Ordin	nance
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have had said Ordina	ance under considera	ation and beg	leave to re-	port back to th	o Common
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STREET TO BE VACATED

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COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the City of Fort Wayne City-County Building Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

That portion of Nevada Avenue, located between Lots # 75 and # 76 of Delta Heights Addition, running 140 feet east from the east Right-of-Way of Inwood Drive.

which was approved by the City Plan Commission at its regular meeting held April 15, 1974.

Respectfully submitted

Certified and signed this 17th day of April, 1974

> George H. Roser Secretary

RESOLUTION

WHEREAS, JAMES AND ELIZABETH ACKMANN, RICHARD W. AND LOIS REDDEMANN, AND JEHL HOMES CORPORATION, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of a city street in the City of Fort Wayne, Allen County, Indiana, to-wit:

That portion of Nevada Avenue, located between Lots # 75 and # 76 of Delta Heights Addition, running 140 feet east from the east Right-of-Way of Inwood Drive.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Indiana Statutes Annotated, 1964

Replacement, Section 53-744); and,

WHEFEAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on April 15, 1974, at 7:30 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

NOW, THEREFORE, BE IT RESOLVED, by the Fort Wayne City Plan

Commission that the vacation of said public street hereinbefore described

conforms to the general policy and pattern of development set out in

the Master Plan of the City of Fort Wayne, Indiana; and,

BE IT FURTHER RESOLVED, by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved; and,

BE IT FURTHER RESOLVED, that the action of the Fort Wayne
City Plan Commission be forwarded to the Common Council of the City
of Fort Wayne for its action thereon.

COUNTY OF ALLEN }				
I,Alan R. Grinsfelder, President of				
the Fort Wayne City Plan Commission, do hereby certify that attached				
hereto is a full, true and correct copy of a Resolution adopted by				
the Fort Wayne City Plan Commission following a Public Hearing of				
said Commission held on the 15th day of April , 1974,				
and as the same appears on record in the official records of the				
Plan Commission.				

STATE OF INDIANA

Dated this 15th day of

April

President
Fort Wayne City Plan Commission

TO:

THE CITY PLAN COMMISSION CITY OF FORT WAYNE, INDIANA

BOARD OF PUBLIC WORKS CITY OF FORT WAYNE, INDIANA

Gentlemen:

The undersigned, the Petitioners, do hereby respectfully petition the City Plan Commission and the Board of Public Works of the City of Fort Wayne to vacate the following described portion of a street within the City of Fort Wayne, Allen County, Indiana, to-wit:

That portion of Nevada Avenue, located between Lots # 75 and # 76 of Delta Heights Addition, running 140 feet east from the east Right-of-Way of Inwood Drive.

Your petitioners represent that:

- That they are the owners of all the real estate abutting on both sides of a portion of the street herein sought to be vacated.
- That no other person, firm or corporation is interested in or affected by the requested vacation.
- That the portion of the street sought to be vacated has never been opened or improved.
- 4. That said street is not necessary as ingress or egress to any other property whatsoever.
- 5. That the maintenance of said street is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof, as well as the immediately adjoining property owners that said street be vacated as prayed.

Your petitioners file this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744, in order to complete the vacation as above described.

WHEREFORE, your Petitioners pray that that portion of the above described street be vacated according to the provisions of the Indiana Law pertaining thereto.

P. D.W. Rus.

emes ceremain

James Ackmann

(1636 Inwood Drive) (Lot # 76 Delta Heights Addition)

Elizabeth Ackmann

(Lot # 76 Delta Heights Addition)

Jehr Homes Corporation

BY: Thomas P. Jehl, President (Lot # 75 Delta Heights Addition)

Richard W Peddemann

(Lot # 75 Delta Heights Addition)

(Proposed Buyer)

Lois Reddemann (Lot # 75 Delta Heights Addition)

(Proposed Buyer)

Number assigned by Dave Keller's Office: # 3385

Admn. Appr._

TITLE OF ORDINANCE Street Vacation Ordinance D-74-05-15
DEPARTMENT REQUESTING ORDINANCECity Plan Commission
SYNOPSIS OF ORDINANCEStreet vacation petition initiated by abutting
property owners to vacate a portion of a street described as follows:
That portion of Nevada Avenue, located between Lots # 75 and # 76 of Delta
Heights Addition, running 140 feet east from the east ERight-of-Way of
Inwood Drive.
EFFECT OF PASSAGE Street is presently unimproved and unopened. Street
would be closed and utilized by surrounding property owners.
·
EFFECT OF NON-PASSAGE Street would remain open.
MONEY INVOLVED (Direct Costs, Expenditures, Savings) ^{None}
ASSIGNED TO COMMITTEE (J.N.) Regulation



CITY OF FORT WAYNE

CHARLES W. WESTERMAN CITY CLERK FORT WAYNE, INDIANA

May 30, 1974

Miss Helen Libbing Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of June 1 and June 8, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of Fort Wayne, Indiana, for the following ordinances:

Zoning Map Ordinance No. Z-09-74 (Zoning Map No. C-14)

General Ordinance No. G12-74 (Vacation of portion of Nevada Ave.)

General Ordinance No. G-13-74 (Vacation of Alley)

General Ordinance No. G-13-74 (Regulating unsafe buildings and premises in Allen County)

Please send us six (6) copies of each paper of the Publisher's Affidavit. Thank you.

Sincerely,

Charles W. Westerman

seles W. Westerman

City Clerk

CWW/ne ENCL: 4

PUBLISHER'S CLAIM LINE COUNT Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) Head number of lines Body number of lines Tail number of lines in notice COMPUTION OF CHARGES COMPUTION OF CHARGES 428.5 COMPUTION OF CHARGES Additional charge (or notices containing rule or tabular work (50 per cent of above amount) Charge for extra proofs of publication (50 cents for each proof in excess of two) TOTAL AMOUNT OF CLAIM DATA FOR COMPUTING COST Width of single column 11 cms Size of quad upon which type is cast. 52 Pursuant to the provision and penalties of Ch. 88, Acts 1967, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credit, and that so part of the same has been paid. Data JUDO 10. 19 74. Title: Clork Pursuant to the provision and penalties of Ch. 88, Acts 1967, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credit, and that so part of the same has been paid. LINE Clork Pursuant to the provision and penalties of Ch. 88, Acts 1967, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credit, and that so part of the same has been paid. LINE Clork Pursuant to the provision and penalties of Ch. 88, Acts 1967, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credit, and that so part of the same has been paid. LINE Clork Pursuant to the provision and penalties of Ch. 88, Acts 1967, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credit, and that so part of the same has been paid. LINE Clork Pursuant to the provision and penalties of Ch. 88, Acts 1967, I have been the provision and p	Form Prescribed by State Board of Ac-	counts	General Form No. 99 P (Rev 1967)
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CHARLES W. WESTERMAN CHARLES W. WESTERMAN

Form	Prescribed by State Board of A	ccounts	General Form No. 99 P (Rev. 1967)
	non Council - City of F (Governmental Unit)		To JOURNAL-GAZETTE Dr.
	AllenCou	nty Ind	FORT WAYNE, INDIANA
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I commission of the latest and the l	June 10 , 19 74.	PUBLISHER'S AFFIDAY	Title
iar Session did G-74-05-15 G-12- wit: BILL NO. G-7	poss the following Bill No. 74 General Ordinance, to- 4-05-15 OPPLINANCE NO. G-12-74	State of Indiana ALLEN County } ss:	o a notawy stabile in and for gold county and state the
Ordinance No. vacation of a in the City of F BE IT ORDA	4-05-15 NANCE NO. G-12-74 NNCE omending General NNCE omending General NNCE omending General Development of Nevoda Avenue ort Wayne. NNED BY THE COMMON THE CITY OF FORT	undersigned ARVI	e, a notary public in and for said county and state, the LLA DEWALD who, being duly sworn, says CLERK of the
COONCIL OF	THE CITY OF PURI.	JOURNAL-GAZ	ETTE
sion, and resi adopted by the i mission on Apri hearing thereof Section 44, Cha	well-in to the vocation of a data Avenue house been illed a data and the control of the control	in the English language in the	newspaper of general circulation printed and published city of FORT WAYNE, INDIANA
os amended by the Acts of 1963 the State of Ind Replacement,	bly of the State of Indiana, Section 3, Chapter 385, of- of the General Assembly of lana (Burns Ind, Stat., 1974 isc. 53-744), the Thorough-		nd that the printed matter attached hereto is a true copy, id paper for
No. G-97 adopt of the City of F 1973, is amende portion of Neve	forth in General Ordinance 8d by the Common Council ort Wayne on November 26, kl by deleting the following do Avenue in Fort Wayne,		& 8, 1974
That portion between Lots Heights Additi from the east	iaiana, to-wit: of Nevoda Avenue, located No. 75 and no. 76 of Delta lon, running 140 feet east Right-of-Way of inwood	Subscribed and sworn to before	e me this 10thday of June 1974
SECTION 2. A nance, approve publication, a c Ordinance, of t	After passage of this Ordi- by the Mayor and legal to the Mayor and legal to the Mayor and the Mayor to the Mayor and the Mayor Plan Commission, and of the Mayor, shall be trans- city Clerk to the Board of if the City of Fort Wayne,	. ,	March 11, 1998
fort Wayne City the action of the mitted by the C Public Works of Indiana.	Plan Commission, and of ie Mayor, shall be trans- lity Clerk to the Board of if the City of Fort Wayne,	My commission expires	
SECTION 3. full force and ef sage, approval to lication thereof.	This Ordinance shall be in' fect from and after its pas- by the Mayor and legal pub-		
Read the third by Nuckols, see adopted, placed by the following	time in full and on motion conded by Stier, and duly on its passage. PASSED vate:		
Ayes: Nine Burns, Hingo, Schmidt, V. Sch NAYS: None Date: 5-28-74	Kraus, Moses, Nuckols, D. midt, Stier, Taiarico		
Passed and Council of the Cl as Zoning Mag the 28th day of A	y the More and lead pub- JOHN MUCKOLTS JOHN MUCKOL		
Presented by r	HARLES W. WESTERMAN SAMUEL J. TALARICO Presiding Officer to the Mayor of the City Indiana, on the 29th day of the hour of 1100 oclock HARLES W. WESTERMAN		
May, 1974, at A.M., E.S.T.	Indiana, on the 29th day of the hour of 11:00 o'clock HARLES W. WESTERMAN Signed by me this 29th day the hour of 3:30 o'clock		
100	Atquor		
City of Fort Wa tify that the obo true and complinance No. G-12- Council of the	Westerman, Clerk of the ryle, Indiana, do herby cerve and foregoing is a full, let copy of Centeral Ordania and the result of th		
that sold Ordina approved by the May, 1974 and n record in my off	Mayor on the 29th day of ow remains an file and on ice.		
of the City of			
29th day of May,	ice. hand, and the official scal forf Wayne, Indiana, this 1974. HARLES W. WESTERMAN City Clerk		